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Hursley Park
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Hampshire SO21 2JN

Your Reference: JP920000380GB1
Application No: GB 0106095.3



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GROUP 3600

31 October 2003

Dear Sirs

Patents Act 1977; Examination Report under Section 18(3)

Latest date for reply:

30 April 2004

I enclose two copies of my examination report.

By the above date you should either file amendments to meet the objections in the enclosed report or make observations on them. If you do not, the application may be refused.

You should note that the normal unexpired period allowed for complying fully with the requirements of the Act will end on 1 November 2004, that is 12 months after the date of this letter.

Yours faithfully

Russell Maurice
Examiner

*Use of E-mail: Please note that e-mail should be used for correspondence only.



Your ref: JP920000380GB1
Application No: GB 0106035.3
Applicant: International Business Machines Corp.
Latest date for reply: 30 April 2004

Examiner: Russell Maurice
Tel: 01633 813729
Date of report: 31 October 2003

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Patents Act 1977 Examination Report under Section 18(3)

Plurality of invention

1. Your claims define a number of separate inventions not forming a single inventive concept. The inventions are:

- i. that of independent claims 1, 6, 17, 24, 26 & 28 (whose common matter is essentially that of claims 17, 26 & 28, i.e. aspects of the process execution terminal);
- ii. that of independent claims 11, 25 & 27 (whose common subject matter relates to aspects of the server);
- iii. that of independent claim 21 (relating to aspects of the communication terminal).

? You will need to amend your claims, so that they relate to only one invention or inventive concept. You will also need to make consequential amendments to the description. You may wish to consider filing divisional applications. Any such applications should normally be filed no later than 3 months before the expiry of the period for putting the present application in order.

Scope of search

3. In accordance with Section 17(6), only the first of these inventions has been searched. The other invention can be searched if you wish. In this case you will have to file a further Form 9/77.

What this report covers

4. I have not been able to consider the novelty or obviousness of the unsearched inventions. Full examination with regard to clarity and support of the claims relating to the unsearched inventions has been deferred as meeting the above plurality objection will necessitate substantial revision of the specification.

Novelty

5. The invention as defined in claims 1, 2, 4, 17, 24, 26 & 28 is not new because it has already been disclosed in each of the following documents:

GB 2352861 A (International Computers Ltd), see whole document (against claims 1, 2,



INVENTOR IN PECIMB

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{ Examination Report contd. }

17, 24, 26 & 28).

GB 2345175 A (Gardner), see eg page 21 line 2 - page 22 line 13 (against claim 17, 20, 26 & 28).

EP 1145200 A1 the equivalent to WO 01/31594 A1 as cited on your search report (Swisscom Mobile), see abstract and Fig 1 (against claims 17, 26 & 28)

WO 98/30985 A2 (Aerotel Ltd), see whole document (against claim 1, 2, 4, 17, 24, 26 & 28).

All the above document with the exception of WO 98/30985 fall within S2(3) of the Act

6. The independent claims 17, 26 & 28 are very broad and, if the customer 'communications terminal' can be interpreted as a network-connected computer, for performing e.g. internet-based transactions, would seem to be anticipated by the well-known type of prior art exemplified by GB 2345175, in which a customer account number and verification code are sent to a merchant, which passes them to a clearing computer, which in turn must return an authorisation code to the merchant to be able to proceed with the transaction. In EP 1145200 (WO 01/31594), a mobile phone is used to transfer customer ID and payment request information to a payment terminal which is connected via a terminal which is connected via a network to a clearing house 4 (cf list of numerals, page 15).

7. The independent claims 1, 6 and 24 require the customer identification information to have been previously sent by a 2nd processor to the customer communication terminal. This appears to be shown by GB 2352861 and WO 98/30985: GB 2352861 addresses the same problem as the present application, in that it enables credit card payments of goods without the merchant needing to receive the customer card number. The described embodiment relates to Internet shopping and a bank stores the customer account details, and, on receipt of a request from the customer to make a transaction, generates an identifier to the merchant which sends it to the customer terminal. The customer then provides the identifier to the merchant which sends it to the bank to process the transaction and send information about the payment to the merchant, which can then act accordingly. WO 98/30985 is somewhat similar, with the customer establishing an account with a Money Deposit and Transfer Institution (MDTI) which provides the customer with a ("2nd") PIN in respect of a particular transaction between the customer and the vendor (-again, over the internet). The customer sends this PIN to the vendor from the MDTI, so that the vendor can proceed with the transaction.

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PTO/SB/21 (08-00)

Approval for use through 10/31/2002. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	09/819459
		Filing Date	Mar 28, 2001
		First Named Inventor	Ueno et al.
		Group Art Unit	2161
		Examiner Name	Unknown
Total Number of Pages in This Submission		Attorney Docket Number	JP920000380US1

ENCLOSURES (check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <div style="margin-left: 20px;"><input type="checkbox"/> Fee Attached</div> <input type="checkbox"/> Amendment / Reply <div style="margin-left: 20px;"><input type="checkbox"/> After Final</div> <div style="margin-left: 20px;"><input type="checkbox"/> Affidavits/declaration(s)</div> <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/ Incomplete Application <div style="margin-left: 20px;"><input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53</div>	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <div style="border: 1px solid black; padding: 2px;">Remarks</div>	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): <div style="margin-left: 20px;">JK Office Action Acknowledgment postcard</div>

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Spencer K. Warnick - Reg. No. 40398 Hoffman, Warnick & D'Alessandro LLC
Signature	
Date	November 5, 2003

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, PO Box 1450, Alexandria, VA 22313-1450 on this date:

Typed or printed name	Dorothea Rubbone		
Signature		Date	November 5, 2003